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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,439	09/28/2001	Frederic Danis	FR 000101	6375

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 10/27/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/966,439

Applicant(s)

DANIS, FREDERIC

Examiner

Shaima Q. Aminzay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 9.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## ***Detailed Action***

### ***Acknowledgement of Preliminary Amendment Heading***

1. The Amendment heading does not match the original application heading information; Serial No is not listed, Attorney's Docket number is US010423 instead of FR000101; the application title is "Apparatus and method of Preventing an Adulteration attack on a Content Screening Algorithm," instead of "Telephone Equipment, Telecommunication System and Caller ID Method". The discrepancy was discussed with the applicant's attorney over the phone on September 26, 2003 at 2:45 PM. The attorney's reply over the phone on September 29, 2003 indicated the acknowledgement of the discrepancy and requesting the entry of the amendment of application 09/966439 to continue examining the application without any change in the Preliminary Amendment heading.

### ***Drawings***

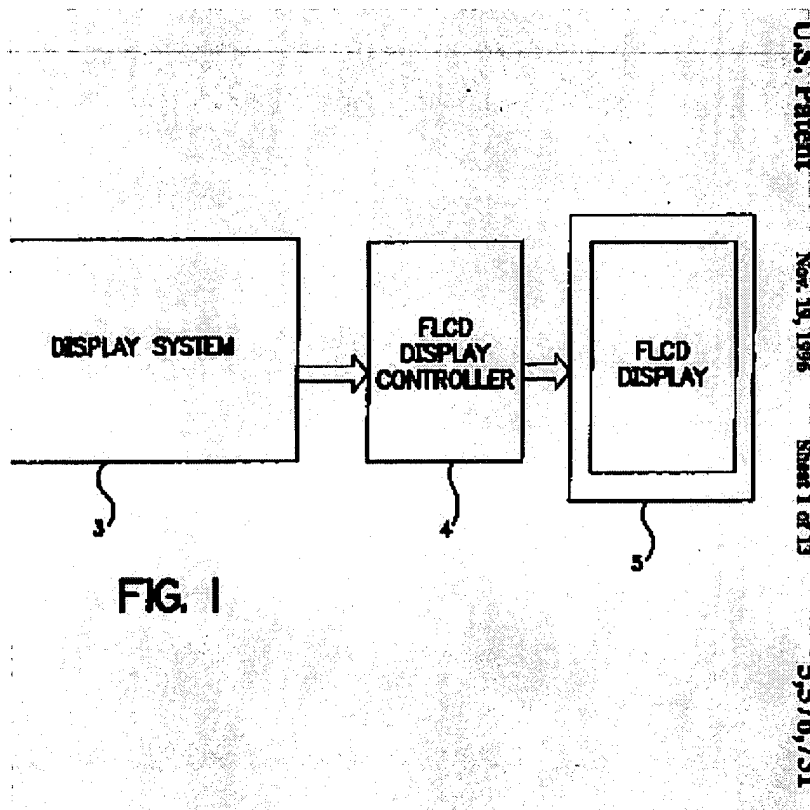
#### ***Drawings Objected - 37 CFR 1.83***

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to include descriptive labels of the specific blocks as described in the specification. In Figure 1, 14 should be labeled "Transmission System"; in Figure 2, 25 should be labeled "Video Screen"; in Figure 3, blocks K0-K5 should be labeled individually as it is described in "Fig. 3 specification" section of the application.

3. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
  5. A person shall be entitled to a patent unless
  6. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
7. Claim 1, 2, 4, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Whitby et al. (U. S. Patent Number 5,576,731)
8. In Summary, Whitby et al. discloses the method of refreshing selected portions of the screen where motion has been detected. Whitby et al. explains in his invention in Figure 1 (see part of Figure 1 bellow) using the controller means motion detector to identify signals to refresh the specific display zones; "refreshing those portions of the screen where motion has been detected at a high rate and only occasionally refreshing the whole screen."



9. Claim 1 rejection: A receiver having a video display screen for receiving successive encoded video images (*A display controller comprising: receiving means for receiving and displaying images (column 15, lines 1-2); display standards in common use for the display of computer or television images (Abstract, lines 1-2); receiver means for receiving an input image (column 15, line 16)*), the receiver comprising a video decoder for decoding the received images (*converting means for converting the input image (column 15, line 23; element 2 in Figure 1 and 2)*) and a screen controller for controlling the display of decoded images on the screen (*A display controller including display means for displaying the images (column 15, lines 15, 28; column 15, line 19; element 4 in Figure 1 and 2)*), the video decoder comprising motion detection means for detecting variations between

successive images and for deriving motion information (*A display controller comprise of detecting means for detecting motion characteristics of the input image having a first refreshing rate using a comparison method (column 15, lines 1, 4, 5, 14, 19, 21; element 15 in Figure 2)*), the screen controller comprising a control means for selectively refreshing display zones on the screen with refreshing frequencies determined as a function of the motion information provided by the decoder (*A display controller or screen controller and a display apparatus provided "high refresh rate by refreshing those portions of the screen where motion has been detected at a high rate" (column 15, lines 14, 16, 19; Abstract lines 10-15)*)).

10. Claim 2 rejection: A receiver as claimed in claim 1, wherein the video decoder comprises means for identifying video objects in the received video images (*A display apparatus comprising receiving means for receiving an input image and detecting means for detecting motion characteristics of the input image (column 15, lines 14-20)*), the motion detection means being provided for detecting variations in the identified objects and the motion information being associated with an identified object so as to describe motion of said object between successive images (*A computer system comprising a computer means of receiving the images and a detecting means for detecting motion characteristics of the images (column 14, lines 51-60; column 15, lines 1-6; also see column 4, lines 16-67)*)).

11. Claim 4, and 7 rejection: Whitby et al. discloses (as is in claim 4) the refreshing selected area of a display device by detecting motion of images

(claim 4; Whit. ,Abstract). Furthermore disclosed (as is in claim 7) a computer program that enables the receiver to detect motion and control display (Figure 2, block 15, 4, 55 and etc.).

12. Claim 6 rejection: A method of refreshing successive video images displayed on a video screen (*a computer system that teaches the refreshing method of those portion of the screen where motion has been detected (Abstract)*), the method comprising a preliminary step of decoding video images for computing motion parameters describing variations between successive images (*Column 3, lines 63 to column 4, line 4*), and a step of selectively refreshing display zones on the screen with different refreshing frequencies as a function of the previously computed motion parameters (*refreshing selective zones via a computing system comprising: receiving means for receiving input images and selecting the first refresh rate; detecting means for detecting motion characteristics of image having first refresh rate by comparing with previously computed value. (Column 15, lines 1-10; Column 16, lines 15-28; Also, see column 2, lines 61-67)*).

### **Claim Rejections - 35 USC § 103**

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- a. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitby et al. as applied to claim 1 above, and further in view of Shimizu et al.

15. Regarding claims 3, and 5 Whitby et al. does not contain the representation of motion vectors and displacement of the video objects in plane parallel to the image (as is in claim 3), and the video decoder conformed to standard of the MPEG (as is in claim 5).

However Shimizu et al. teaches the motion detection using the motion vector on a flat or non-flat surface (column 4, lines 3-19) which are calculated by the video decoder and conformity of the video decoding, and or encoding with the MPEG standard (Abstract; column 1, lines 1-20 and 41-56; part of figures 1 and 4 below). Shimizu et al. does not expressly show that the motion vector is parallel to the image. However, he shows that the vector can be on a flat area (flat plane). This clearly suggests that since the vector is in a flat plane and the image is in flat plane then the vector is parallel to the plane.

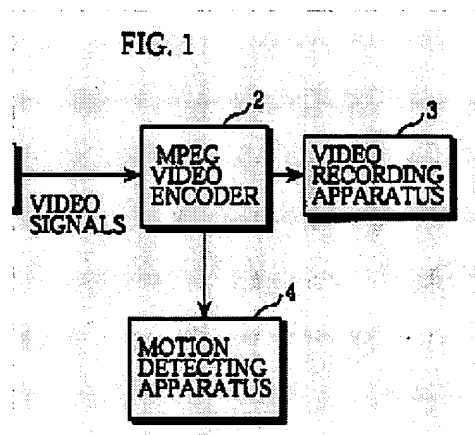
16. Whitby et al. and Shimizu et al. are combinable because they share the same field of endeavor, namely refreshing selective area of the video displays where the motion is being detected. At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of detecting motion of images and refreshing selective portion of Whitby et al. to include the motion detection method using the



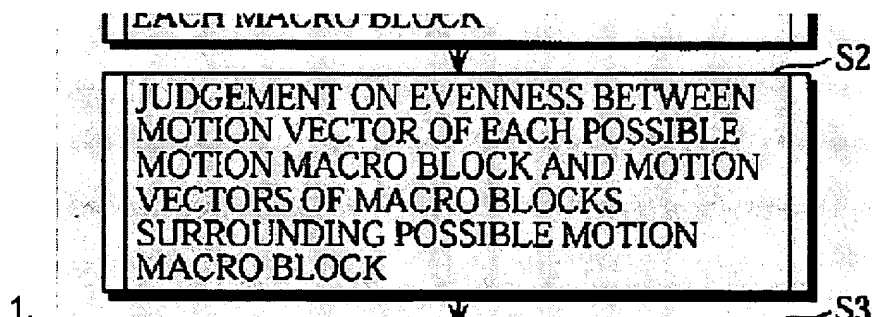
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motion vectors as with Shimizu et al and further more can be interpreted as the video objects being parallel to the image. The motivation to combine would have been to provide the video display refresher with the capability of refreshing selected zones (motion detection and refreshing those specific zones of the screen) to obtain the invention of claims 3, and 5. Further, since both references are motion detection, it would be a matter of replacing the motion detection of Whitby et al. with the conventional motion detection of Shimizu et al.

i. **U.S. Patent** Jan. 28, 2003 Sheet 1 of 16 US 6,512,537 B1



ii. P/O Figure 4



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17. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whitby et al.

18. Regarding claim 8, Whitby teaches a that display of images on a device is a known art (Column 1, lines 16-20) and the input images (data) are being displayed and being controlled by display system (Figure 2, system 3; Column 3, lines 62-65). However Whitby et al. does not specifically teaches the use of portable electronic equipment having a video display screen. Whitby et al. on the other hand teaches a the use of LCD. It would have been obvious to one of ordinary skill in the art to utilize Whitby's LCD in any portable device.. One would have been motivated in view of Whitby the use of LCD is functionally equivalent to the desired display of portable equipment.

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 8:00-5:00.

20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A Hjerpe can be reached on 703-305-4709. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

22. S.A.

*Shaima Coning*

  
JOSEPH MANCUSO  
PRIMARY EXAMINER